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OFFICE OF PETITIONS

In re Application of	:	
Lang, et al.	:	
Application No. 09/600,134	:	DECISION ON PETITION
Filed: September 11, 2000	:	
Attorney Docket No. 5725.0654-00	:	

This is a decision on the petition to withdraw the holding of abandonment under 37 CFR 1.181, filed October 27, 2004.

The petition is **GRANTED**.

The above-identified application was held abandoned after the Board of Patent Appeals and Interferences mailed a Decision on Appeal on August 27, 2004. The decision affirmed the Examiner's rejection on claims 22-58. A Notice of Abandonment was mailed on September 14, 2004, stating that the application was abandoned because the period for seeking court review had expired.

37 CFR 41.52 provides that an Appellant may file a request for rehearing of a Board decision within two months of the date of the original decision by the Board. Accordingly, as the two month period had not yet expired, it is obvious that the Notice of Abandonment was mailed in error.

In view thereof, **the holding of abandonment is withdrawn**.

The above application is revived solely for purposes of continuity. As continuity has been established by this decision reviving the application, the application is again abandoned in favor of application No. 10/973,242, filed October 27, 2004.

Telephone inquiries regarding this decision should be directed to the undersigned at (571)272-3207.

Cliff Congo

Cliff Congo
Petitions Attorney
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